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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

12 FIREMAN’S FUND INS. CO., *et al.*,  
15 Appellants,

16 v.

17 PLANT INSULATION CO., *et al.*,  
18 Appellees.

19 In re:

20 PLANT INSULATION COMPANY,  
21 Debtor.  
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Hon. Richard Seeborg  
Case No.: C 12 1887 RS

On appeal from the U.S. Bankr. Court for the  
N.D. of Cal. (Hon. Thomas Carlson)

Bankruptcy Case No. 09-31347-TC

**JOINT STIPULATION REGARDING  
SCHEDULING ORDER FOR BRIEFING  
AND ARGUMENT REGARDING  
APPELLANTS’ EMERGENCY MOTION  
FOR A STAY PENDING APPEAL TO THE  
NINTH CIRCUIT**

28 STIPULATION REGARDING SCHEDULING ORDER  
FOR APPELLANTS’ MOTION TO STAY  
Case No. C 12 1887 RS

1 The Insurers identified in the signature block below (collectively, the “Insurers”), the Official  
2 Committee of Unsecured Creditors, (the “Committee”), debtor and debtor-in-possession Plant  
3 Insulation Company (“Plant”) and the court-appointed representative of future asbestos claimants (the  
4 “Futures Representative”) (collectively, the Committee, Plant, and the Futures Representative being  
5 referred to as the “Plan Proponents”), by and through their respective undersigned counsel, Plan  
6 Proponents having confirmed to Insurers that, consistent with the terms and conditions of the Plan, the  
7 Plan shall not become effective prior to November 9, 2012, hereby stipulate to the following schedule  
8 with regard to the Insurers’ Emergency Motion For A Stay Pending Appeal To The Ninth Circuit,  
9 (including, without limitation, any related Motion To Shorten Time) (“Motion for Stay”):

10 1. The Insurers shall file and serve via e-mail their Motion to Stay and any supporting  
11 papers by 12:00 p.m. Pacific time on October 15, 2012.

12 2. The Plan Proponents shall file and serve via e-mail any opposition to the Motion to  
13 Stay, along with any supporting papers, by 11:59 P.M. on October 22, 2012.

14 3. The Insurers shall file and serve via e-mail any reply in support of the Motion to Stay,  
15 along with any supporting papers, by 11:59 P.M. on October 24, 2012.

16 4. The Insurers and the Plan Proponents agree to allow the Insurers’ Motion to Stay to be  
17 heard on October 26, 2012, subject to the Court’s availability and the Court’s desire to hold oral  
18 argument on the Insurers’ Motion to Stay.

19 IT IS SO STIPULATED.

20 Plant Insulation Company, Debtor	Hon. Charles B. Renfrew (Ret.), Futures Representative
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22 <u>/s/ Peter J. Benvenuti</u>	<u>/s/ Gary S. Fergus</u>
23 Peter J. Benvenuti, Esq. Jones Day	Gary S. Fergus, Esq. Fergus, A Law Office
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<p>Official Committee Of Unsecured Creditors</p> <p><u>/s/ Michael H. Ahrens</u> Michael H. Ahrens, Esq. Sheppard, Mullin, Richter &amp; Hampton LLP</p>	<p>OneBeacon Insurance Company</p> <p><u>/s/ Philip A. O'Connell, Jr.</u> Philip A. O'Connell, Jr. SNR Denton U.S. LLP</p> <p>And, for purposes of this stipulation only, on behalf of the following parties in interest and their counsel: American Home Assurance Company, Granite State Insurance Company, and Insurance Company of the State of Pennsylvania; ACE Fire Underwriters Insurance Company and ACE Property &amp; Casualty Insurance Company; Insurance Company of the West; Safety National Casualty Corporation; Transport Indemnity Company; United States Fidelity and Guaranty Company; and United States Fire Insurance Company.</p>
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IT IS SO ORDERED.

Dated: October 15, 2012

  
RICHARD SEEBORG  
UNITED STATES DISTRICT JUDGE

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